

THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 13267 of 2007

Date:14-08-2007

Between:

M.Jagan

.. PETITIONER

AND

The Director General of Police, Hyderabad and three others

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RESPONDENTS

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ORDER:

The petitioner seeks a writ of mandamus to declare the inaction of the 2nd respondent herein in not investigating into the FIR No.285/2007, as illegal and arbitrary.

The only grievance of the petitioner is that the second respondent is not investigating into the FIR No.285 of 2007 and failing in filing the final report/charge sheet.

A counter has been filed by the second respondent stating that in fact, the petitioner was informed about the progress of the case from time to time and the investigation was taken up promptly and all the witnesses were examined by recording their statements and there are counter cases pending against the petitioner also. But, however, insofar as the investigation in the said crime is concerned, the same has been completed within the stipulated time. It is further stated that it is compulsory for the investigating officer to take legal opinion of the prosecuting officer for onwards transmission to the superior officers for scrutinizing and giving proper instructions for disposal of the case and the steps are being taken for expediting the legal opinion from the Additional Public Prosecutor Grade-I for onwards transmission to the superior officer.

Having regard to the facts and circumstances of the case, the second respondent is directed to file a final report/charge sheet in the said crime without any further delay.

Accordingly, the writ petition is disposed of. No costs.

V.ESWARAIAH, J.

Date:14.08.2007.

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